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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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08/133,986 10/12/93 JOHNSON

J 7709.18US03

EXAMINER
BAYERL, R

E3M1/0506

JOHN P. SUMNER
MERCHANT, GOULD, SMITH, EDELL,
WELTER & SCHMIDT
3100 NORTHWEST CENTER
MINNEAPOLIS, MN 55402

ART UNIT PAPER NUMBER

2301

14

DATE MAILED: 05/06/94

NOTICE OF ALLOWABILITY

PART I.

1. ☒ This communication is responsive to papers filed 25 April 1994.
2. ☒ All the claims being allowable. PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice Of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
3. ☒ The allowed claims are 45-59.
4. ☒ The drawings filed on 12 October 1993 are acceptable.
5. ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received. ☐ not been received. ☐ been filed in parent application Serial No. _____, filed on _____.
6. ☐ Note the attached Examiner's Amendment.
7. ☐ Note the attached Examiner Interview Summary Record, PTOL-413.
8. ☒ Note the attached Examiner's Statement of Reasons for Allowance.
9. ☒ Note the attached NOTICE OF REFERENCES CITED, PTO-892.
10. ☒ Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449: (revised)

PART II.

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" indicated on this form. Failure to timely comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

1. ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
2. ☐ APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH ON THE REVERSE SIDE OF THIS PAPER.
 - a. ☐ Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948, attached hereto or to Paper No. _____. CORRECTION IS REQUIRED.
 - b. ☐ The proposed drawing correction filed on _____ has been approved by the examiner. CORRECTION IS REQUIRED.
 - c. ☐ Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
 - d. ☐ Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE DUE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

Attachments:

- ☐ Examiner's Amendment
- ☐ Examiner Interview Summary Record, PTOL-413
- ☒ Reasons for Allowance
- ☒ Notice of References Cited, PTO-892
- ☒ Information Disclosure Citation, PTO-1449
- ☐ Notice of Informal Application, PTO-152
- ☐ Notice re Patent Drawings, PTO-948
- ☐ Listing of Bonded Draftsmen
- ☐ Other

RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2301

4 May 1994



UNITED STATES DEPARTMENT OF
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E3M1/0506

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**NOTICE OF ALLOWANCE
AND ISSUE FEE DUE**

- ☐ Note attached communication from the Examiner
☐ This notice is issued in view of applicant's communication filed _____

SERIES CODE/SERIAL NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
08/133,986	10/12/93	015	BAYERL, R	2301 05/06/94
First Named Applicant	JOHNSON, JEROME D.			

TITLE OF INVENTION: COMPUTER-ASSISTED PARTS SALES METHOD (AS AMENDED)

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
2 7709.18US03	395-161.000	A55	UTILITY	YES	\$585.00	08/08/94

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.
PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS
APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY Status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the Status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
B. If the Status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

- II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by a charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, Part C of this notice should also be completed and returned.
- III. All communications regarding this application must give series code (or filing date), serial number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees.

PATENT AND TRADEMARK OFFICE COPY

ATTACHMENT TO NOTICE OF ALLOWABILITY, PAPER #14

REASONS FOR ALLOWANCE

1. Sole independent claim 45 facilitates parts sales "for particular equipment" when the customer provides "information identifying a customer's parts requirements for the equipment", specifically, "equipment application information" which is "an identification of the equipment with which one or more parts are to be used". This "information" is used in "gathering parts-related information" for at least one part "which meets the customer's requirements" and subsequently in "compiling the parts-related information into a proposal meeting the customer's requirements".

Although this "method" is claimed in somewhat broader terms, it generally corresponds to the procedure of patented apparatus claim 1 of parent application 07/959,525 (US Patent #5,283,865) and also overcomes the prior art of record. At the time of the parent application's allowance, the same set of references as are presently cited was before the Examiner, with the exception of Lockwood (US #5,309,355, discovered during an update search), which is additionally cited as showing general computerized sales presentations customized to a particular customer profile. Lockwood is concerned with the area of travel reservations and bookings, however, and does not teach nor suggest applicant's parts sales method for equipment needs. In the Final rejection (paper #11, mailed 16 March 1994), the

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Examiner based a 35 USC 103 rejection of certain of the present claims on the CWC publication Read Me First, which appeared to show that the invention was on sale or in public use as early as June 1988, and thus was not removed by applicant's 21 January 1994 affidavit (paper #9). In response, applicant has supplied a second affidavit (paper #12, filed 25 April 1994), specifically stating that no 35 USC 102(b) availability of the Read Me First manual or the product it describes, be it as a publication, sale of the invention, or public use of the invention, was present any earlier than 13 November 1988, one year prior to the effective filing date of the present application. Applicant should note (see attached revised form PTO-1449) that the citation of this reference has been changed to a publication date of "1988". . . Furthermore, applicant states that the two cited CWC manuals made of record were prepared "under the direction of the Affiant", and thus are to be considered the work of the applicant, and not "another" under 35 USC 102(a). With this affidavit now on the record, the Examiner deems the CWC publications not to be prior art against applicant's claims and the outstanding rejection under 35 USC 103 is therefore overcome.

The invention as claimed represents a specific use for computer components in a particular mode of sales relating to parts having applications for a customer's equipment, a parts description database being queried and limited according to entered information regarding the equipment and the application a

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satisfactory part must meet as a subcomponent of that equipment. The most relevant cited references to such a specific sales method are those published by the applicant, which are now removed as prior art by the 25 April 1994 affidavit.

Any comments considered necessary by Applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Raymond J. Bayerl, whose telephone number is (703) 305-9789. Any inquiry of a general nature or relating to the status of this Application should be directed to the Group receptionist, whose telephone number is (703) 305-9600.



RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2301

4 May 1994